

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, February 12, 2019

Eau Claire County Board Room

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council Vice President/Acting President Werthmann called the meeting to order. The following members were present: Council Members Emily Anderson, Kate Beaton, Emily Berge, Jill Christopherson, Catherine Emmanuelle, Jeremy Gragert, Terry Weld and Andrew Werthmann. Council Members absent: David Strobel and Michael Xiong.

CONSENT AGENDA

The City Council considered a resolution adopting the Consent Agenda. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Berge “to separate for consideration agenda item #19 with regard to the acquisition of property along Folsom Street.” Said motion passed without objection.

Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Emmanuelle “to adopt the Consent Agenda” for the following items of routine business on Tuesday, February 12, 2019:

- Adopting the Consent Agenda.
- Approving the Minutes of the January 22, 2019 Council Legislative Session.
- Authorizing Keprios Investments, LLC to conduct the Here We Grow Again Sale event at Hobbs Ice Arena on the following dates in 2019: April 5, 6 & 7 and September 27, 28 & 29.
- Granting new bartender licenses.
- Granting a Change of Agent for the Class A Intoxicating Liquor (Cider only) & Class A Fermented Malt Beverage license of Cenergy, LLC, d/b/a Mega Holiday #3706, 2920 Craig Road, from Alice Shutes to Angelica Heitzig.
- Granting a Change of Agent for the Class A Intoxicating Liquor (Cider only) & Class A Fermented Malt Beverage license of Cenergy, LLC, d/b/a Mega Holiday #3717, 1731 Brackett Avenue, from Susan Goettl to David Jacobson.
- Granting a Temporary Class B Fermented Malt Beverage and a Temporary Class B Wine license to Sacred Heart of Jesus - St. Patrick Parish, Rev. Brian Jazdzewski, Pastor, on March 17, 2019, at 322 Fulton Street, for St. Patrick's Day Celebration.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Christ Church Cathedral, 510 South Farwell Street, Debra B. Lorenze, President, on March 2, 2019, for a Mardi Gras Celebration.
- Granting a Class B Fermented Malt Beverage license and Class C Wine license to Silly Serrano Mexican Restaurant, LLC, d/b/a Silly Serrano, 329 Riverfront Terrace, Sheila M. Arredondo, Agent.
- Granting a Class B Fermented Malt Beverage license and Class C Wine license to Akame Sushi, Inc., d/b/a Akame Sushi, 4056 Commonwealth Avenue, DanHong Hong, Agent.

- Granting a Class A Intoxicating Liquor License to Cenergy, LLC, d/b/a Mega Holiday #3734, 3314 East Hamilton Avenue, Christina M. Meckley, Agent.
- Granting a Class A Intoxicating Liquor License to Cenergy, LLC, d/b/a Mega Holiday #3736, 2611 Birch Street, JoEllen M. Ives-Evjen, Agent.
- Granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage and a Class A Cabaret license to Sconnies of Eau Claire, LLC, d/b/a Sconnies EC, 1920 S. Hastings Way, Jeremy M. Jensen, Agent.
- Granting a permanent expansion of the Combination Class A Intoxicating Liquor & Fermented Malt Beverage licensed premise of Skogen's Foodliner, Inc., d/b/a Festival Foods, 3007 Mall Drive, to include a "Click N Go" pickup area.
- Granting a permanent expansion of the Combination Class A Intoxicating Liquor & Fermented Malt Beverage licensed premise of Skogen's Foodliner, Inc., d/b/a Festival Foods, 2615 N. Clairemont Avenue, to include a "Click N Go" pickup area.
- Declaring a section of land at 820 Malden Avenue, parcel no. 10-1410-A, excess land and not required for a public use.
- Authorizing the sale of the southern section of property located at 0 Galloway Street, parcel no. 10-1161-A.
- Awarding a contract for Procurement No. 2019-13, City Hall Remodel – Bid Package #3.
- Exempting the City of Eau Claire from the Chippewa County tax levy for library services.
- Preliminary resolution declaring the City's intention to exercise its special assessment powers under Section 66.0703, Wisconsin Statutes, for street, utility, and sidewalk improvements, and directing the City Clerk to give notice of a hearing scheduled for February 25, 2019, on the following streets:
 - Eddy Lane, Starr Avenue to Hastings Way (19-102);
 - Melby Street, Anderson Drive to Hastings Way (19-108).
- Preliminary resolution declaring the City's intention to exercise its special assessment powers under Section 66.0703, Wisconsin Statutes, for alley improvements, and directing the City Clerk to give notice of a hearing scheduled for February 25, 2019, on the Alley East of Fifth Avenue, Congress Street to Fulton Street (19-514).
- Final resolution granting petition and waiver for street and utility reconstruction on Golfview Drive, from Sundet Road to North.

Said motion passed by unanimous vote.

FOLSOM STREET

The City Council considered a resolution authorizing the acquisition of property along Folsom Street, parcel nos. 14-0097, 14-0101 and 14-0100. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Berge “to adopt the resolution.”

Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Beaton “to amend the resolution” by adding the following BE IT FURTHER RESOLVED clause:

BE IT FURTHER RESOLVED that the City seek input on design and project implementation for the public use of this neighborhood park from the west side neighborhood associations, Roosevelt Elementary school families, Eau Claire Board of Education, and trail system users with effect of that this neighborhood park considers mutual benefits of all users while preserving as much as is possible a natural urban forest habitat for birds and animals. At all times the project would remain consistent with City planning documents and operational considerations for the use and maintenance of this neighborhood park.

Said motion to amend passed by unanimous vote.

A vote was then taken to “adopt the resolution as amended.” Said motion passed by unanimous vote.

STREET IMPROVEMENTS

The City Council considered a resolution approving the project and levying special assessments for street, utility, and sidewalk improvements on the following streets:

- Grant Avenue West, Ellis Street to State Street (19-104);
- Lincoln Avenue, State Street to Wilson Avenue (19-107);
- East Lake Street, South Farwell Street to South Dewey Street (19-106);
- Spring Street, Summit Street to the North End (19-110);
- Dorret Road, West Frank Street to Kohlhepp Road (19-101);
- James Street, Ninth Street to Eleventh Street (19-105);
- Water Street, First Avenue to Second Avenue (19-302);
- Water Street, Sixth Avenue to Ninth Avenue (19-303);
- East Riverview Drive, Airport Road to 2,700 Feet West (19-301).

Thereupon a motion was offered by Council Member Weld and seconded by Council Member Beaton “to adopt the resolution.”

Vice President/Acting President called a recess at 4:28 p.m. Council reconvened at 4:34 p.m. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Werthmann “to amend the resolution” by deferring sidewalk on the east side of Dorret Road, from West Frank Street to Kohlepp Road, as it would not serve the public interest, safety or convenience, and such deferral shall not constitute a permanent waiver of sidewalk construction, and the City Council may review and reconsider the need for construction at any time. Said motion passed by the following vote: Aye: Council Members Anderson, Berge, Christopherson, Emmanuelle and Werthmann. Nay: Council Members Beaton, Gragert and Weld.

A vote was then taken to “adopt the resolution as amended.” Said motion passed by unanimous vote.

The City Council considered a resolution ordering sidewalk to be repaired in accordance with Wisconsin Statute s. 66.0907 on the following streets:

- Grant Avenue West, Ellis Street to State Street (19-104);
- Lincoln Avenue, State Street to Wilson Avenue (19-107);
- East Lake Street, South Farwell Street to South Dewey Street (19-106);
- Spring Street, Summit Street to the North End (19-110);
- Dorret Road, West Frank Street to Kohlhepp Road (19-101);
- James Street, Ninth Street to Eleventh Street (19-105);
- Water Street, First Avenue to Second Avenue (19-302);
- Water Street, Sixth Avenue to Ninth Avenue (19-303).

Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Anderson “to adopt the resolution.” Said motion passed by unanimous vote.

PROPERTY TRANSACTIONS

The City Council considered a resolution granting a permanent encroachment to Royal Construction for the temporary closure of Emery Street, South Barstow Street to Farwell Street, the north sidewalk and existing street width for construction staging and safety related to the proposed redevelopment. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution declaring the land at 100 N. Farwell Street (The Railroad Lot), parcel no. 08-0007, excess land and not required for a public use. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Gragert “to adopt the resolution.” Said motion passed by unanimous vote.

BUDGET APPROPRIATIONS

The City Council considered a resolution authorizing fourth quarter appropriations adjustments for the 2018 Adopted Budget and year-end carryovers for the Adopted Budget. Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Emmanuelle “to adopt the resolution.” Said motion passed by unanimous vote.

GRANT

The City Council considered a resolution accepting and appropriating an Urban Wildlife Abatement and Control Grant from the Department of Natural Resources to be used for deer and Canada goose management. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Beaton “to adopt the resolution.” Said motion passed by unanimous vote.

VETERAN’S TRIBUTE TRAIL

The City Council considered a resolution approving a site plan in a P-Public district for the Veteran’s Tribute Trail and amenities located north of Madison Street, west of Forest Street (File PZ-1901). Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Berge “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution approving the proposed design of the Veteran’s Tribute Trail and amenities. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Anderson “to adopt the resolution.”

Thereupon a motion was offered by Council Member Berge and seconded by Council Member Beaton “to amend the resolution” by adding the following BE IT FURTHER RESOLVED CLAUSE:

BE IT FURTHER RESOLVED by the City Council of the City of Eau Claire that the Veteran’s Tribute Trail reflect the diversity of our veterans and include minority veterans including women veterans and veterans of color within the design of the Veteran’s Tribute Trail. As mentioned verbally by the organizers, the Veteran’s Tribute Trail will also include a tribute to the importance of peace.

Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Anderson “to amend the amendment” by changing to the following:

BE IT FURTHER RESOLVED that the City Council of the City of Eau Claire directs Council Members Berge and Anderson to send a formal communication to encourage the Veteran’s Tribute Trail to reflect the diversity of our veterans and include minority veterans including women veterans and veterans of color within the design of the Veteran’s Tribute Trail. As mentioned verbally by the organizers, the Veteran’s Tribute Trail will also include a tribute to the importance of peace.

Said motion to amend the amendment passed by unanimous vote.

A vote was then taken on the “motion to amend as amended.” Said motion to amend passed by unanimous vote.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Gragert “to amend” the proposed design of the Veteran’s Tribute Trail and amenities to include four bike parking racks, accommodating a minimum of eight bicycles, at the Oak Street Parking Lot. Said motion passed by unanimous vote.

A vote was then taken to “adopt the resolution as amended” with amended proposed design. Said motion passed by unanimous vote.

Vice President/Acting President called a recess at 6:34 p.m. Council reconvened at 6:39 p.m.

CERTIFIED SURVEY MAP

The City Council considered a resolution approving a Certified Survey Map with right-of-way dedication for CTH T (File CSM-2-19). Thereupon a motion was offered by Council Member Berge and seconded by Council Member Christopherson “to adopt the resolution.” Said motion passed by unanimous vote.

CAMDEN PLACE

The City Council considered a resolution approving the final re-plat for Camden Place located east of Jeffers Road (File P-2-19). Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Emmanuelle “to adopt the resolution.” Said motion passed by unanimous vote.

ALLEY VACATION

The City Council considered a resolution vacating a portion of the Alley East of South Barstow Street from Emery Street to 79 feet south of Seaver Street. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Beaton “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution releasing the utility easements within the Alley East of South Barstow Street from Emery Street to 79 feet south of Seaver Street. Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Berge “to adopt the resolution.” Said motion passed by unanimous vote.

ZONING

The Council considered an ordinance rezoning properties located at 708, 718 & 720 S. Farwell Street, 316 Emery Street; and 707, 709 & 715 S. Barstow Street from CBD to CBD-P and to approve the development for an apartment with a reduced setback (File Z-1637-19). Thereupon a motion was offered by Council Member Weld and seconded by Council Member Beaton “to adopt the ordinance.” Said motion passed by the following vote: Aye: Council Members Beaton, Berge, Christopherson, Emmanuelle, Gragert, Weld and Werthmann.
Nay: Council Member Anderson.

INDUSTRIAL PARK ZONING

The Council considered an ordinance amending the Zoning Code of the City of Eau Claire by amending the General Development Plan for the sign standards for Gateway Northwest Business Park (File Z-1640-19). Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Berge “to adopt the ordinance.” Said motion passed by unanimous vote.

The Council considered an ordinance amending the Zoning Code of the City of Eau Claire by amending the General Development Plan for the sign standards for Gateway West Business Park (File Z-853-92 Amd). Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Anderson “to adopt the ordinance.” Said motion passed by unanimous vote.

SPECIAL ASSESSMENTS

The Council considered an ordinance amending Chapter 3.16 entitled “Special Assessments” of the Code of Ordinances of the City of Eau Claire and the Special Assessment Policy to amend sidewalk repair assessments to be consistent with current residential corner lot policies. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Weld “to adopt the ordinance.” Said motion passed by unanimous vote.

DOCKLESS BICYCLE SHARE

The City Council had first reading on an ordinance creating Chapter 5.64 entitled “Dockless Bicycle Share” and amending Section 10.08.100 entitled “Parking.”

PARKING

The City Council had first reading on an ordinance amending Table IX of the City Code of Ordinances of the City of Eau Claire, entitled “Parking During Specified Hours,” and specifically “Parking Prohibited – Passenger Loading Zone” related to parking near The Pablo Center at the Confluence.

ADJOURNMENT

A motion was offered by Council Member Beaton and seconded by Council Member Gragert “that this meeting does now adjourn without objection.” Said motion passed by unanimous consent.

Adjournment: February 12, 2019

Time: 7:10 p.m.

ATTEST:

/s Andrew F. Werthmann
Vice President/Acting President

/s/ Carrie L. Riepl
City Clerk